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*Jennifer D. Ahearn*  
Jennifer Ahearn

SECTOR  
PATENT  
Atty. Docket No. 30788-00016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOHN T. HURST et al.

Serial No.: 09/784,843

Filed: February 15, 2001

For: PROGRAMMING CONTENT  
DISTRIBUTION

Group Art Unit: 2171

Examiner: To Be Assigned

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

In response to the "Notice to File Missing Parts of application" dated March 19, 2001, Applicants submit the attached original Declaration, Power of Attorney and Petition for filing in the above-identified application, the required fee of \$65.00, and Part 2 of the Notice of Missing Parts.

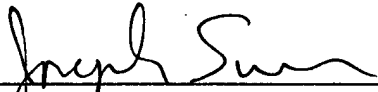
Serial No.: 09/784,843

If there are any fees due in connection with the filing of this paper that have not been accounted for in this paper or the accompanying papers, please charge the fees to our Deposit Account No. 13-3735. If an extension of time under 37 C.F.R. 1.136 is required for the filing of this paper and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to our Deposit Account. A duplicate copy of this page is enclosed for that purpose.

Respectfully submitted,

**MITCHELL, SILBERBERG & KNUPP LLP**

Date: April 25, 2001

By   
Joseph G. Swan  
Registration No. 41,338

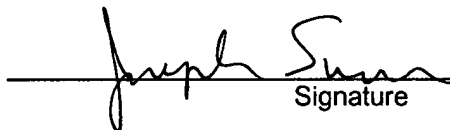
MITCHELL, SILBERBERG & KNUPP LLP  
11377 West Olympic Boulevard  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST 35 U.S.C. 122(b)(2)(B)(ii)</b>	Application Number	09/784,843
	Filing Date	February 15, 2001
	First Named Inventor	John T. Hurst, et al.
	Title	Programming Content Distribution
	Atty Docket Number	30788-00016
	Group Art Unit	2171
	Examiner	To Be Assigned

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

March 21, 2002  
Date

  
Signature

Joseph G. Swan (Reg. No. 41,338)  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

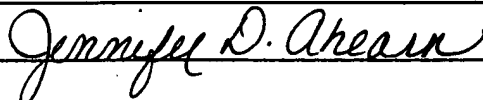
Note: Filing this rescission of a previous nonpublication request is considered notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days after the due date of filing such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five (45) days after the date of filing of the foreign or international application.

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type) Jennifer Ahearn

Signature



Date

March 21, 2002

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(c). The information is used by the public to rescind a previously filed request that an application not be published under 35 USC 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/784,843	02/15/2001	John T. Hurst	30788-00016

CONFIRMATION NO. 3829

## FORMALITIES LETTER



\*OC000000005937907\*

MITCHELL SILBERBERG & KNUPP LLP  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
TRIDENT CENTER  
11377 WEST OLYMPIC BOULEVARED  
LOS ANGELES, CA 90064-1683

Date Mailed: 04/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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*A copy of this notice **MUST** be returned with the reply.*

  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/02/2001 EABUBAK1 00000102 09784843

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